



COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

GAIL FARBER, Director

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

September 04, 2012

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

39 September 4, 2012

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

**RESOLUTION OF SUMMARY VACATION
AVENUE I EAST OF 175TH STREET EAST AND A PORTION OF
175TH STREET EAST SOUTH OF AVENUE I
IN THE UNINCORPORATED COMMUNITY OF BUTTE VALLEY
(SUPERVISORIAL DISTRICT 5)
(3 VOTES)**

SUBJECT

This action will allow the County of Los Angeles to vacate the easements for public road and highway purposes on Avenue I east of 175th Street East and a portion of 175th Street East south of Avenue I in the unincorporated community of Butte Valley that are no longer needed for public use. The vacation has been requested by the underlying property owners to realign the road easement of Avenue I to Avenue H-12 and allow for future improvements on the properties.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find that this action is categorically exempt from the provisions of the California Environmental Quality Act.
2. Find that the easements for public road and highway purposes on Avenue I east of 175th Street East and a portion of 175th Street East south of Avenue I in the unincorporated community of Butte Valley have been impassable for vehicular travel for five consecutive years and no public money has been expended for maintenance during such period and that they may, therefore, be vacated pursuant to Section 8331(a) and (b) of the California Streets and Highways Code.

3. Find that the easements for public road and highway purposes on Avenue I east of 175th Street East and a portion of 175th Street East south of Avenue I in the unincorporated community of Butte Valley are excess and not required for street and highway purposes and that they may, therefore, be vacated pursuant to Section 8334(a) of the California Streets and Highways Code.

4. Find that the easements for public road and highway purposes on Avenue I east of 175th Street East and a portion of 175th Street East south of Avenue I in the unincorporated community of Butte Valley are not useful as nonmotorized transportation facilities as required by Section 892 of the California Streets and Highways Code.

5. Adopt the Resolution of Summary Vacation.

6. Upon approval, authorize the Director of Public Works to record the certified original resolution with the office of the Registrar-Recorder/County Clerk of the County of Los Angeles.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to find that the project is categorically exempt from the California Environmental Quality Act (CEQA) and allow the County of Los Angeles (County) to vacate the easements for public road and highway purposes on Avenue I east of 175th Street East and a portion of 175th Street East south of Avenue I (Easements) in the unincorporated community of Butte Valley, since they no longer serve the purpose for which they were dedicated and are not required for public use.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1). The vacation of the Easements will result in added revenue through assessment and taxation and reduce the County's exposure to potential liability.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The applicant has paid a \$1,500 fee to defray the expense of the investigation. This amount has been deposited into the Road Fund. The fee was authorized by your Board in a resolution adopted May 4, 1982, Synopsis 62 (Fee Schedule), and as prescribed in Section 8321(d) of the California Streets and Highways Code.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The areas to be vacated contain approximately 3.08 acres and are shown on the map that is attached to the enclosed Resolution of Summary Vacation.

The California Streets and Highways Code Section 8331(a) and (b) provide that the legislative body of a local agency may summarily vacate a street or highway if, for a period of five consecutive years, the street or highway has been impassable for vehicular travel and no public money was expended for maintenance on the street or highway during such period.

The California Streets and Highways Code Section 8334(a) provides that the legislative body of a local agency may summarily vacate any excess right of way of a street or highway not required for street or highway purposes. The Easements are not useful as nonmotorized transportation facilities as defined in Section 887 of the California Streets and Highways Code.

The County's interest in the Easements were acquired by deed recorded on July 11, 1968, as Document No. 3436, in Book D4062, page 991, and by deed recorded on July 26, 1968, as Document No. 3874, in Book D4080, page 770, both of Official Records, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles as easements for public road and highway purposes.

Mr. H. Patrick Ward (on behalf of Maureen Croft, Michael Fucci, Wilson Reich, and Arleen Reich, the underlying property owners) requested the vacation to realign the road easement of Avenue I to follow or coincide with the easterly prolongation of Avenue H-12 and allow for future improvements on the properties.

The proposed vacation is conditioned upon the underlying property owners dedicating an Irrevocable Offer to Dedicate and Grant of Easement for public road and highway purposes, as shown on the map that is attached to the enclosed Resolution of Summary Vacation. This condition must be met to the satisfaction of the Department of Public Works (Public Works) within one year of the date this resolution is adopted by your Board or the abandonment of the Easements will terminate and become null and void. Public Works will record the enclosed resolution upon satisfaction of the condition.

Adoption of the enclosed resolution and the subsequent recordation will terminate the County's rights and interest in the Easements. Your action will result in the properties being unencumbered by the Easements and available to the underlying property owners for use without restriction of the Easements.

ENVIRONMENTAL DOCUMENTATION

This action is categorically exempt from the provisions of CEQA as specified in Sections 15305 and 15321 of the State CEQA Guidelines, which state that this class of projects consisting of minor alterations in land use, limitations, and actions to revoke entitlement for use, issued and adopted by the regulatory agency, have been determined not to have a significant effect on the environment.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

This action will allow for additional property taxes through the vacation of the Easements.

CONCLUSION

Please return one adopted copy of this letter and one original and one copy of the resolution to the Department of Public Works, Survey/Mapping & Property Management Division, together with a copy of your Board's minute order. Retain one original for your files.

The Honorable Board of Supervisors

9/4/2012

Page 4

Respectfully submitted,

A handwritten signature in black ink that reads "Gail Farber". The script is fluid and cursive, with the first letters of each word being capitalized and prominent.

GAIL FARBER

Director

GF:SGS:mr

Enclosures

c: Auditor-Controller (Accounting Division - Asset
Management)
Chief Executive Office (Rita Robinson)
County Counsel
Executive Office

**RESOLUTION OF SUMMARY VACATION
AVENUE I EAST OF 175TH STREET EAST AND
A PORTION OF 175TH STREET EAST SOUTH OF AVENUE I
(CONDITIONAL)**

THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES
HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:

1. The County of Los Angeles is the holder of the easements for road and highway purposes (hereinafter referred to as the Easements) in, over, and across the real property legally described in Exhibit A and depicted on Exhibit B, both attached hereto. The Easements on Avenue I east of 175th Street East and a portion of 175th Street East south of Avenue I are located in the unincorporated community of Butte Valley in the County of Los Angeles, State of California.
2. The Easements have been impassable for vehicular travel for five consecutive years and no money has been expended for maintenance during such period.
3. The Easements have been determined to be excess and not required for street and highway purposes.
4. The Easements are not useful as nonmotorized transportation facilities as defined in Section 887 of the California Streets and Highways Code.
5. The Easements are hereby vacated pursuant to Chapter 4, Part 3, Division 9, of the Streets and Highways Code, State of California, commencing with Section 8330.
6. The proposed vacation is conditioned upon the underlying property owners dedicating an Irrevocable Offer to Dedicate and Grant of Easement for public road and highway purposes. The condition must be met to the satisfaction of Public Works within one year of the date this resolution is adopted by the Board of Supervisors or the vacation of the Easements will terminate and become null and void.
7. That upon the satisfaction of the above condition, the Director of Public Works, or her designee, is authorized to record the certified original resolution in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, at which time the Easements will be terminated.
8. From and after the date this resolution is recorded, the Easements will no longer constitute a street, highway, or public service easement.

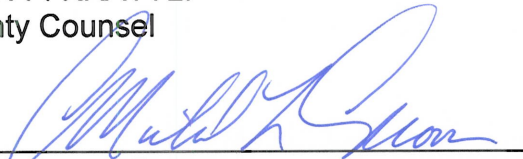
//
//
//
//

The foregoing resolution was on the 4th day of September, 2012, adopted by the Board of Supervisors of the County of Los Angeles, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.

APPROVED AS TO FORM:

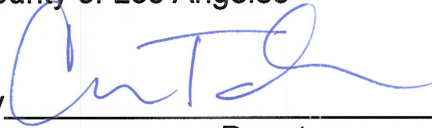
JOHN F. KRATTLI
County Counsel

By


Deputy

SACHI A. HAMAI
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

By


Deputy

NS:mr

P:\MPPUB\ADMIN\MARIA\BOARD LETTER RESOLUTION\AVENUE I RESOLUTION



EXHIBIT A

Project name: **AVENUE I EAST OF
175TH STREET EAST 39-11VAC**
Includes: 175th Street East 1-9VAC
Affects: Avenue H-12 (3)
A.I.N. 3350-014-019 & 020
T.G. I (62nd Edition)
I.M. 369-337
R.D. 555
S.D. 5
M0888114

LEGAL DESCRIPTION

PARCEL NO. 39-11VAC (Vacation of public road and highway easement):

That portion of that certain parcel of land known as AVENUE I, 100 feet wide, in the southwest quarter of the southeast quarter of Section 10, Township 7 North, Range 9 West, S.B.M., described in deed to the County of Los Angeles, recorded on July 11, 1968, as Instrument No. 3436, in Book D4062, page 991, of Official Records, in the office of the Registrar-Recorder/County Clerk of said county, lying easterly of the easterly line of the westerly 40 feet of said southwest quarter.

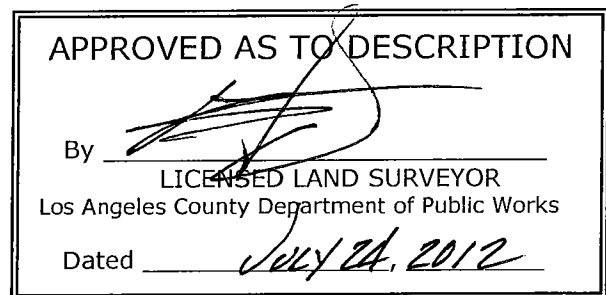
Containing: 3.08± acres.

PARCEL NO. 1-9VAC (Vacation of public road and highway easement):

That certain parcel of land described in Part B of deed to the County of Los Angeles, recorded on July 26, 1968, as Instrument No. 3874, in Book D4080, page 770, of Official Records, in the office of the above-mentioned Registrar-Recorder/County Clerk.

Containing: 142± square feet.

Total area of Parcel Nos. 39-11VAC and 1-9VAC: 3.08± acres



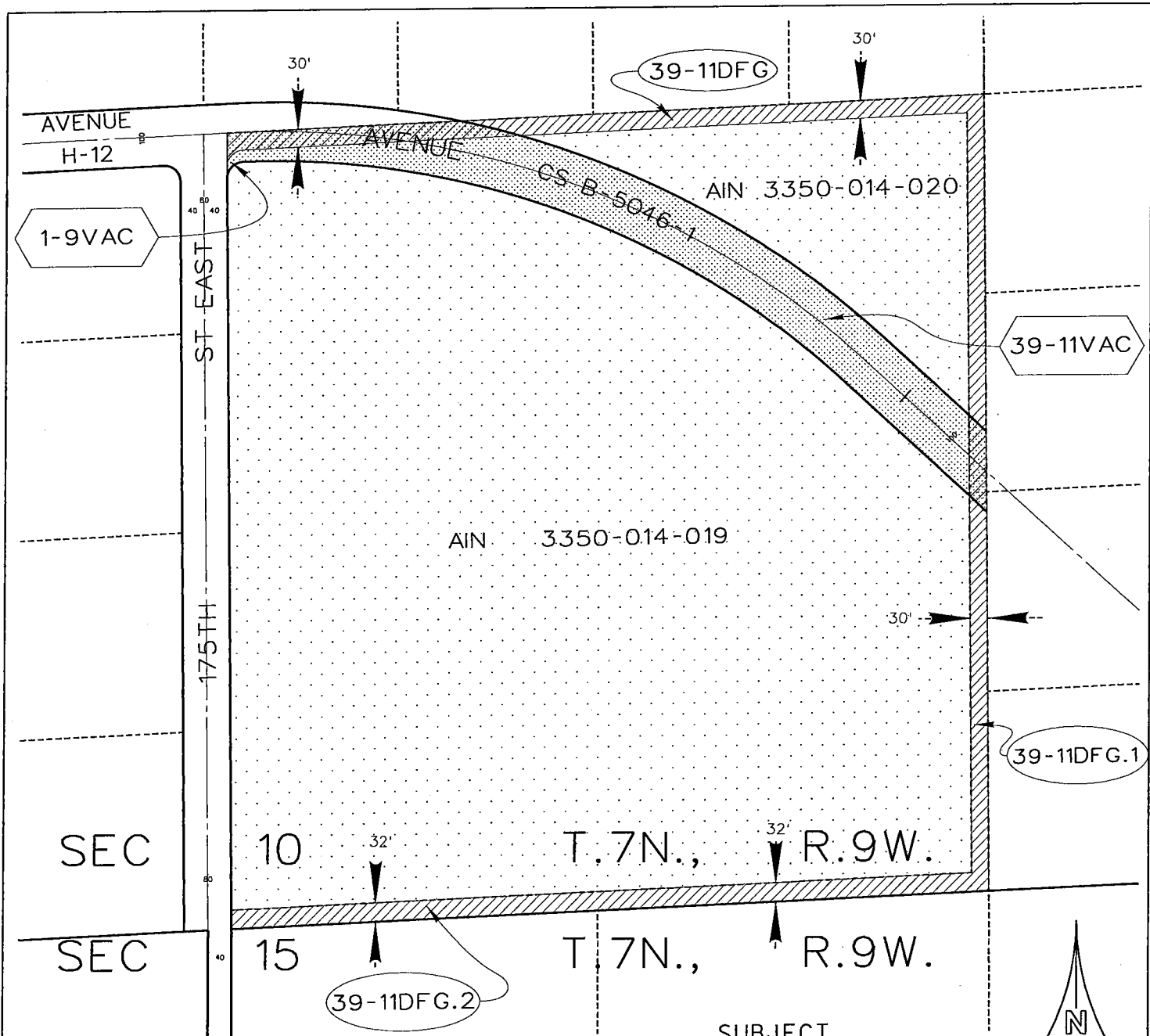


EXHIBIT B

LEGEND

- Applicant
- Area to be vacated
Total Area: 3.08± acs
- Areas to be dedicated
as Private &
Future Street
Total Area: 2.73± acs

ALL IN THE UNINCORPORATED
TERRITORY OF THE
COUNTY OF LOS ANGELES

SUBJECT

LOCATION

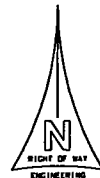
Ave H-12

171st St E

172nd St E

175th St E

Avenue I



DEPARTMENT OF PUBLIC WORKS				SURVEY/MAPPING & PROPERTY MANAGEMENT DIVISION	
SD.	RD.	A. I. N.	T. G.	AVENUE I EAST OF 175TH ST. EAST	DRAWING NO.
5	555	3350-014-019 & 20	I (62nd Ed.)		M0888114
SCALE NONE		DATE 07-02-12	I. M. 369-337		
		REVISION	1.	MAP PREPARED BY: N SALAZAR	